



MEMO ENDORSED

399 KNOLLWOOD ROAD, SUITE 220
WHITE PLAINS, NEW YORK 10603

Tel: 914.997.0555
Fax: 914.997.0550

35 Worth Street
New York, NY 10013
Tel: 646.398.3909

April 30, 2020

Via ECF

Hon. Kenneth M. Karas
United States District Court Judge
Southern District of New York
Charles L. Brieant United States Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: Collier v. The City of Mt. Vernon, et al. 19-CV-5230 (KMK)

Dear Judge Karas:

As you are aware, the undersigned and The Quinn Law Firm PLLC represent the City of Mount Vernon and the individually named Defendants ("Defendants") in the above referenced matter.

We write to respectfully request an adjournment of the Initial Rule 16 Conference scheduled for Tuesday May 5, 2020 at 10:30 AM (Docket Entry No. 23). The reason for the instant request is that the underlying incident in this case may be related to the pending criminal matter USA v. Overton, et al. 17-Cr.-644 (NSR).

Pro se Plaintiff Marquis Collier is currently incarcerated at Westchester County Jail awaiting trial in the Overton criminal case and has not consented to this adjournment because we are unable to secure his consent due to his incarceration and our inability to communicate directly with him. Furthermore, we have not been able to set up Plaintiff's appearance via telephone from the jail due to staffing issues within the firm related to the COVID-19 pandemic and anticipate having difficulty arranging his appearance.

We have contacted the United States' Attorney's Office seeking their position on Defendants' potential motion for a stay of the instant litigation and we are awaiting their response. Another related civil matter, McKenzie v. City of Mount Vernon 18-CV-603 (VB) is currently stayed pending the resolution of the Overton case. We anticipate having more information regarding a potential motion for a stay of discovery in this matter soon.

This is the first request for an adjournment of the Initial Rule 16 conference.

Thank you for your time and consideration of the instant request.

Respectfully submitted,

Andrew C. Quinn

Andrew C. Quinn, Esq.

ACQ/sjb

cc: Marquis Collier, *via USPS*
ID No. 200645
Westchester County D.O.C.
P.O. Box 10
Woods Road
Valhalla, NY 10595
PRO SE

*Granted. Counsel
should mail a copy of
this endorsement to
the Plaintiff and
certify that he did so
by May 5, 2020.*

SO ORDERED


KENNETH M. KARAS U.S.D.J.

5/1/2020